

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SHANNESE GREENAWAY and KAREL
POWERY, individually and on behalf of all others
similarly situated,

Plaintiffs,

-against-

APPLE-METRO, INC., d/b/a APPLEBEES, ZANE
TANKEL and ROY RAEBURN,

Defendants.

Index No. 13 CV 2818(ENV)(CLP)

INITIAL CONFERENCE QUESTIONNAIRE

1. Date of completion of automatic disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure, if not yet made: November 19, 2013
2. If additional interrogatories beyond the 25 permitted under the Federal Rules are needed, the maximum number of: plaintiff(s) Zero and defendant(s) Zero
3. Maximum number of requests for admission by: plaintiff(s) 25 and defendant(s) 25
4. Number of depositions by plaintiff(s) of: parties at least 3 for the named Defendants, however, more are expected non-parties unknown at this time
Number of depositions by defendant(s) of: parties 1 deposition of each Plaintiff and each opt-in Plaintiff (if any) non-parties unknown at this time
5. Time limits for depositions: 7 hours
6. Date for completion of factual discovery: August 11, 2014
7. Number of expert witnesses of plaintiff(s): medical Zero non-medical unknown at this time
Date for expert report(s): June 10, 2014
8. Number of expert witnesses of defendant(s): medical Zero non-medical unknown at this time
Date for expert report(s): July 10, 2014
9. Date for completion of expert discovery: August 11, 2014

10. Time for amendment of the pleadings by plaintiff(s) February 4, 2014 or by defendant(s) February 4, 2014
11. Number of proposed additional parties to be joined by plaintiff(s) Unknown at this time and by defendant(s) Unknown at this time and time for completion of joinder: February 4, 2014
12. Types of contemplated dispositive motions: plaintiff(s): Summary Judgment
defendant(s): Summary Judgment
13. Dates for filing contemplated dispositive motions: plaintiff(s): September 12, 2014
defendant(s): September 12, 2014
14. Does any parties object to having this case included in the Court's Electronic Case Filing program: No objection X Objection by plaintiff _____ defendant _____
15. Will the parties consent to trial before a magistrate judge pursuant to 28 U.S.C. § 636(c)? (Answer no if any parties declines to consent without indicating which parties has declined.) Yes _____ No X

Dated this 21st day of November, 2013

Respectfully submitted,

<u>/s/ Dale J. Morgado</u> Dale J. Morgado Feldman Morgado, P.A. 14 Wall Street 20 th Floor, Suite 2040 New York, NY 10005 T: 212-991-8431 F: 212-991-8439 E: dmorgado@fmlawgroup.us Attorney for Plaintiff	<u>/s/ Craig R. Benson</u> Craig R. Benson Littler Mendelson, P.C. 900 Third Avenue New York, NY 10022 T: 212-583-9600 F: 718-732-2369 E: cbenson@littler.com <u>/s/ George B. Pauta</u> George B. Pauta Littler Mendelson, P.C. 900 Third Avenue New York, NY 10022 T: 212-583-9600 F: 212-832-2719 E: gpauta@littler.com <u>/s/ Robert A. Cirino</u> Robert A. Cirino Littler Mendelson, P.C. 900 Third Avenue New York, NY 10022 T: 212-583-9600 F: 212-658-9664 E: rcirino@littler.com Attorneys for Defendants
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CERTIFICATE OF SERVICE

I certify that on November 21, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system that will send a notice and electronic filing to all parties, including counsel for the Defendants.

/s/ Dale J. Morgado
Dale J. Morgado, Esq